G. R. S. IX-5]

Previous references. 1877-78

~~191~~ .

(Municipal)

File No. 20

Serial Nos. 1–15

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1–15.

M ~~Part~~ B for

SUBJECT.

Lighting Contract of the Cantonment & Municipality

Andrews
Dy

W D 83—GPB—50,000—24-7-16

I Submit with this a copy of the Municipal Regulations to enable the Secretary to refer to Section 19.

2. As regards the tender of Nanjappah Brothers there has been good deal of correspondence. Please see Chief Comm^{rs} printed proceedings No. $\frac{3078}{287}$ of the 13th December/81. No rate was mentioned in the tender of Nanjappa Brothers. They had the contract of last year for Rs 2 per light, and the rate viz Rs 1-12- has been fixed by the President with reference to the tenders recently submitted, in spite of one Sadasiva Row's

tender

tender for Rs 1 7 - It
also appears that after
the Sub- Committee resolved
to accept Sadasiva Rao's
tender, Nanjappa Brothers
offered to take up the
contract for Rs 1 5 - The
President however raised
it to Rs 1 12
2. The papers on the
subject of the Cantt:
Lighting Contract were
all submitted to the
Secretary with Petition
No: 3471 from Sadasiva
Rao, on the 24th December
877. They have not
as yet been returned.

7/1/78

1. Submitted to Ch. Comm:,
with whom I believe
the file is. —

8.1.78

Init

10.1.78

1877.

From

~~The Secretary to the Chief Commissioner~~
Mr. J. P. Leonard. of Mysore.
Mr. Comm^r. No: 5 Division.

To

The Secretary to the Chief Comm^r.
of Mysore.

October 1877.

Enclosures No.

---

bunds. his protest
& Resolution no. 6
Proceedings of Cantt.
Com^rs. held on 26th.
last regarding
lighting contract
awarded.

Please see Resolution
the Boards' Proceedings
returned, herewith
noted.
May this be referred
to Resident for report?
15/10/77

Much in the tone
of the petition which
we decline. We cannot
upon humility &
Poor of manufacturing
supplied of bad &
ask in the proceedings.
Wood. Abdul Kadir,
enclosing Wood Co.

bers Members of the Sub-
Committee and also
suppose Mr. Ameer Khan
has not joined in this
protest, and keeps in
reserve some explanation
of his silence. The duties of

G. C. K. No 210.

BANGALORE, *October 8th* 1877.

To

Major T. CLARKE,

Secretary to the

Chief Commissioner,

BANGALORE.

SIR,

I beg to lay before you, for communication to the Chief Commissioner, the following particulars with regard to the Contract for Lighting the street lamps of Bangalore, which formed part of the proceedings of the regular meeting of the Municipal Board, held at the Board office, Residency road, on the 26th September, to protest strongly against the unjustifiable manner in which the matter has been disposed of by the Board, and respectfully to submit that in the interests of the Municipal tax-payers of Bangalore, it is a subject which calls for the consideration and interference of the Local Government

2. The Contract for lighting the street lamps, which is now held by Nunjuppa Brothers, being about to expire on the 31st December, it was resolved a few months back at one of the regular Board Meetings to call for Tenders for lighting for a period of three years commencing with the 1st January 1878, and with this view Advertisements were published in the local papers setting forth details and inviting the submission of Tenders for the lighting, while the final date for receiving such Tenders was fixed for the 31st August at 12 noon.

3. On the 29th August, the President of the Board issued a Circular Memorandum inviting certain Members of the Board, as per margin, to meet at his office to open the Tenders received for Lighting the Cantonment. This meeting took place on the 31st August at 1. P M when twenty-two tenders ranging from 1 Rs. 7 As. to Rs 2, per light per mensem from different parties were opened, noted and laid before the Committee who proceeded to discuss each severally, and finally recorded that:

The Assistant Superintendent of Police.
Mr. P. Raju Moodliar.
„ A. Verasawmy Moodliar.
„ Abdool Hoossain Saib.
„ Abdool Koodoos Saib.
„ T. T. Leonard.

" Of the above (tenders) the tender submitted by Sathaseva Row is found to be the most " favorable being at the rate of one Rupee seven Annas per light per mensem, but as it would " appear that Sathaseva Row has not made himself acquainted with the conditions of the Bond " entered into with the present Contractor, it is resolved that he be directed to attend the office " on the 3rd Proximo for the purpose of having the bond read over and explained to him, it is " also resolved that should Sathaseva Row's tender be ultimately accepted and with a view to " prevent the possibility of any inconvenience from a sudden failure on the part of the Con- " tractor to carry out the terms of the contract, a further condition be inserted in the Bond to " the effect that three months supply of oil and one hundred spare burners and chimnies should " be kept deposited at the Municipal office."

I may here mention that Nunjuppah, the present Contractor, who was in the next room listening to the discussion relative to the Tenders, hearing that the Committee had selected the lowest Tender, sent in at once a memo through Mr. Manley, Manager, stating that he was willing to undertake the lighting at Rs. 1-5-0 per lamp per mensem; but this the Members objected to receive, as the Tenders, among which was Nunjuppah's, were closed at noon and it was then past 2 P.M. A few days afterwards, I understand that Sathaseva Row, who submitted the Tender for Rs. 1-7-0 was ordered to attend the Board's office, which he did; that the conditions of the the Lighting Contract bond were read over and explained to him, and he agreed to all as well as to the extra condition laid down by the Sub-Committee in their resolution.

4. The above report and resolution of the Tenders for lighting Committee formed a part of the Proceedings of the Board at their meeting on the 26th September, when there were present the members marginally noted. Dr. Orr in bringing up the subject said that he had gone very minutely into this subject of lighting, and from the experiment he made personally of filling a lamp and keeping it lit the proper number of hours in his own house, he made out that the cost of oil *alone* would be Rs. 1—15—6, to which must be added, price of wicks, breakage of chimnies, robbery of lamps, and lamplighters pay, from which he (Dr. Orr) was quite convinced that no man could *satisfactorily* carry out the lighting at less than *Rs two and As. eight* per lamp per mensem. Dr. Orr then stated that he had received a letter a few days before the Meeting from Nunjuppa Brothers, in which they offer to carry out the contract for a further period of three years at Rs 1—8—0, per lamp per mensem, which letter he read out to the Members.

Dr. J. H. Orr.
Mr. E. Hewetson.
„ E. Pereira.
„ P. Raju Moodliar.
„ A. Verasawmy Moodliar.
„ Sadaseva Moodliar.
„ Abdool Koodoos Saib.
„ T. T. Leonard.

5 Notwithstanding the report of an independent committee and in the face of the offer of Nunjuppa Brothers to undertake the lighting at Rs. 1—8—0, the President made the following proposal:

" Proposed by the President that as he conscientiously believes that the contract cannot be " duly or efficiently carried out at a lower rate than it at present obtains, that the contract be now " renewed to Messrs Nunjuppa Brothers, for a further period of three years at the present obtain- " ing rate, viz: Rs. 2 per lamp monthly :"

I moved an amendment at once on this proposal as follows :

" Proposed by Mr. T. T, Leonard that the tender of Sathaseva Row, as pointed out as being " most favorable by the Sub-committee, be accepted."

After a good deal of discussion, which it is not necessary here to mention, the amendment was put to the vote, with the following result.

For.	Against.
Mr. P. Rajoo Modaliar.	Dr. J. H. Orr.
„ Abdool Koodoos Saib.	Mr. E Hewetson.
„ A. Veerasawmy Modaliar.	„ E. Pereira,
„ T. T. Leonard.	„ Sedaseva Modaliar.

The President having a casting vote decided the matter against the amendment. Next followed the voting for the President's proposal which resulted in its being carried by the casting vote of Dr. Orr. I requested permission to enter a protest against this at the next Meeting when I was told it could not be done, the resolution having been passed, but I stated my determination to bring the subject before the Chief Commissioner, as I was aware that the Board's proceedings were subject to his confirmation.

6. Before proceeding further I must here add, that I consider it was certainly very discourteous on the part of the President to make it necessary that a Resolution arrived at by 6 Municipal Commissioners at a prior committee meeting should, notwithstanding the consideration shewn in discussing the tenders, be put on one side simply for an opinion held by the President himself and should be upset by a vote of four.

7 With your permission I will now proceed to distinguish the difference between the cost of lighting as per Tender selected by the Sub-Committee, and the cost as proposed by the President, comparing both with the subsequent offer made by Nunjuppah Brothers in their letter and shewing the unnecessary charge that will be imposed on the Board's funds.

Comparative cost of Lighting 342 lamps for the Cantonment of Bangalore.

As per tender selected by the Sub-Committee.	As per proposal made by the President.	As per offer made by Nunjuppah Bros., who now hold the contract at Rs. 2-0-0.
per month.	per month.	
342 @ 1-7-0—491-10-0	342 @ 2 Rs.—684-0-0.	342 @ 1-8-0—513-0-0.

Shewing a monthly excess payment of Rs. 192-6-0 according to the President proposal, or
a yearly excess of Rs. 2308-4-0, or,
a total excess for the three years of Rs. 6924-12-0 ;

Or according to the offer made by Nunjuppah Brothers, the President proposes to pay them :
Rs. 171 per month in excess of what they ask in their letter,
or Rs. 2052 per year do
or Rs. 6156 for the three years which it is intended to extend the Contract to them.

8. I would respectfully draw the Chief Commissioner's attention to the above figures which are indisputable. Here is the President of the Municipal Board, who has almost unlimited power, using such power arbitrarily, and, with calmness and deliberation, proposing to throw away between 6 and 7000 Rs. of the poor tax-payers money. I ask, is this fair? is it honest? and notwithstanding the conscientious resolution of Dr. Orr, I ask, is he justified in obstinately persisting in spending money in this reckless manner; money which is collected, from poor half-starved people, as Municipal taxes, and which sum of money might be more usefully and beneficially expended, specially in improving the sanitation of the Cantonment, which is at the present moment a disgrace to the Municipal Institution In my opinion nothing can palliate this wilful and wanton waste of public funds and I cannot understand how Dr Orr, who stated that the lighting could not be done satisfactorily for less than Rs. 2-8-0 a month, should be so determined to give it to Nunjuppa Brothers for Rs. 2-0-0 and I fail to see how this proceeding of the President's can be reconciled to the fact that Nunjuppa Brothers—who have now three years experience—deliberately offered at one time to do the work for Rs. 1-5-0 and again offered for Rs. 1-8-0; their offer must have been based on experience which must have taught them that they have even in this rate a margin for profit.

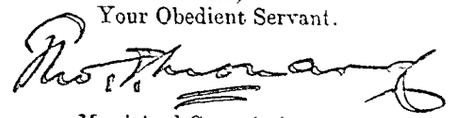
9. And here, with all deference to Dr. Orr's opinion, I submit that his experiment cannot be taken as a basis to determine the rate for lighting, and further I beg to point out that it must be presumed that parties in tendering for the Contract, did so, with facts and conditions before them, and no person, especially a native, will undertake to do any work unless he has gone thoroughly into details and is certain he is on the right side. And further may I ask here why Nunjuppa Brothers should be so far favored by the President that they should be given the Contract to the exclusion of other tenderers at Rs. 2. It would appear as if the President had made up his mind from the first that the Contract should be renewed to the present Contractors, and the formality of calling for tenders by advertisements and the fact of the Sub-Committee's Resolution being upset, proves to be a farce.

10. I would here beg to draw your attention to the fact that Nunjuppa Brothers are one of the favored of the Board's Contractors. One of the conditions in their Contract Bond distinctly lays down that they shall not engage in any other work while they have the Lighting Contract, and that they must devote their whole attention to the lighting only. Notwithstanding this, I assert that the President has, from time to time, given Nunjuppa Brothers other works in connection with the Municipality—one which I distinctly remember was the erection of Market Stalls at Ulsoor—that Nunjuppa Brothers supply and repair tools, supply carts, and carry out many other works for the Board which under the terms of Contract they are debarred from doing, and the giving of which is not only highly irregular but very improper on the part of Dr. Orr, who, as one of the contracting parties, must have been aware that he was deliberately nullifying a legal document and acting in direct opposition to the interests of the tax-payers. My assertions would be borne out were you to call for a complete list of all the works given by the President to Nunjuppa Brothers during the past two, and the present year, being the period over which the present lighting Contract extends.

11. In enquiring into and disposing of this matter, I respectfully submit that in any order the Chief Commissioner may be pleased to pass on the subject, he will mark his displeasure at the proceedings of Dr. Orr; that he will also not overlook the concurrence of the three Members with the President's unjustifiable proposal, and that he will order the Board to confirm the recommendation of the Tender selected by the Sub-Committee, (which is so advantageous to the tax-payers and to the Board) as was done in the disposal of the tenders three years ago by a similar Sub-Committee appointed in the same way, and whose recommendation was passed by the Board without any demur or hesitation.

12. In conclusion I beg to apologize for taking up so much of your valuable time, but the proceedings of the Board in this matter have been so extraordinary and so much against the interests of the tax-paying public, that I could not allow it to pass unnoticed.

I have the honor to be
Sir,
Your Obedient Servant.



Municipal Commissioner,
No. 5 Division

1877.

From

The Secretary to the Chief Commissioner of Mysore.

To The President of the Cantt. mt Commission

Dated 25th } October 1877
Despatched

Received

Enclosures No.

Duplicate
General No. 2602
mt. No. 725

Lett. dated 8th October 1877. from mr R. F. Lee mnd. mt. Commr. of No. 5 Division of the Cantt. Municipality on the subject of the Electric Lighting Contract for Bangalore.

With reference to the above I request the submission of the entire proceedings connected with the Resolution No. 6 of the Board's Proceedings of the 26 September last regarding the disposal of the Electric lighting Contract.

"By order

A.C. 23/1.
Asst. Secretary

No 6

Proceedings of a Committee assembled at the Office of the Cantonment Municipal Commission No 12 Residency Road on Friday the 31st August 1877 at 1 P.M. for the purpose of opening the Tenders received for lighting the Cantonment with Kerosene oil from the 1st of January next for 3 years.

President

Doctor J. H. Orr J.P.

Present.

Members.

Absent.

Lt. Superintendent of Police
Mr. A. Ranjia Moodliar
Mr. A. Virasami Moodliar
Mr. Abdulkareem Saib
Mr. Abdulmonaktheem
Mr. F. T. Leonard

The Committee having duly assembled and the President and Members all present the tenders 22 are opened and are found to be as under

No.	Names of Tenderers	Particulars of Tenders	Remarks
1	V. Chinnaragum Moodliar	Rs 10. 6 per month inclusive of all repairs	
2	Padmanabha Moodliar	Rs 1. 9. 9 inclusive of painting posts. supplying lamps & lanterns and of numbering the same	

3	Mrs E. J. Russell	Rs 1—10—0 per month without Condition
4	E Vathaeiva Low	Rs 1—7—0 " " without Condition
5	K. Parthasarathy Naidu	Rs 1—7—9 for Lighting per Lamp Rs 150 for annual Repairs and Rs 0—1—6 for extra nights
6	A Ramganathum Pillay	Rs 1—9—0 per Lamp and Rs 0—1—6 for extra nights
7	M Tramoondy Pillay	Rs 1—10—0 per Lamp and Rs 0—1—6 per Lamp for extra nights
8	Mr Alley White	Rs 1—11—0 without Condition
9	A R Subapathy Pillay	Rs 1—8—0 ——— do ———
10	A C Doraisami Pillay	Rs 1—10—0 ——— do ———
11	A Ramgasam Pillay	Rs 1—14—0 ——— do ———
12	A Chinnaiah	Rs 1—12—0 ——— do ———
13	Messrs Orr & Barlow	Rs 2—0—0 ——— do ———
14	Mr G. D'Silva	Rs 1—10—0 in Scheme of painting Lamp Posts & Lanterns & repairing
15	Mr C Ashworth	Rs 2—0—0 without Condition
16	Mr J Jansen	Rs 2—0—0 ——— do ———
17	Mr G Govindu Naidu	Rs 1—11—6 in Scheme of painting and repairing
18	A Vonnaveetty	Rs 1—14—0 without Condition
19	Mrs L D'Silva	Rs 1—10—0 ——— do ———
20	P. Camden Saib	Rs 1—8—0 per Lamp for 1 in: wick Rs 1—7—6 and for 3/4 in: wick Rs 1—6—0
21	A Nunjappa & Brothers	Lighting until 3 a.m. removing repairing, or putting up fresh Lamp Posts and fixing Lanterns &c for 3 years
22	Mr J. Wallace	Rs 1—10—0 without Condition

Of the

Of the above, the tender submitted by Pathasiva Row is found to be most favorable being at the rate of One Rupee and Seven annas per light per mensem, but as it would appear that Pathasiva Row has not made himself acquainted with the Conditions of the Contract Bond entered into with the present Contractor - it is resolved - that he be directed to attend the Office on the 3rd proximo for the purpose of having the bond read over and explained to him, it is also resolved, that should Pathasiva Row's tender be ultimately accepted and with a view to prevent the possibility of any inconvenience from a sudden failure on the part of the Contractor to carry out the terms of the Contract - a further condition be inserted in the Bond to the effect that three months supply of oil and one hundred spare burners and Chimnies should always be kept deposited at the Municipal Office

/sd/ J. H. Orr President
—"— C. Hemetson
—"— P. Ranjit Moodr.
—"— Abdul Hussani
—"— A. Venkatasawmy Moodr. Members.
—"— T. T. Leonard
—"— Abdul Khowker Saib

Municipal Office
Bangalore
31 Oct. 1877

True Copy

President & Secretary

(Proceedings of a
Committee assembled
at the office of the
Cantab. Lunatic Asylum
Robert Aberdeen Road
on Friday the 31st
August 1877 at 1 pm. for
the purpose of opening
the Tenders received for
lighting the Conformary
with Kerosene oil from
the 1st of January
next for three years

3041 & 2 Ex. Cantonmental Comm's Office
Bangalor 31st October 1877.

By
To

The Secretary to the
Chief Commissioner of Mysore
Dufter Department

Sir,

I have the honor to acknowledge the receipt of your Docket No. 2602/225 dated 25 Instant requesting the submission of the entire proceedings connected with the Resolution No. 6 embodied in the proceedings of the Municipal Commission dated 26th Ultimo, and in reply I beg to state that I am not aware of any other proceedings connected with this matter other than those already submitted I do myself the honor however to forward the Proceedings of a Committee Convened by me on the 31st August 1877 for the purpose of opening Tenders for the Lighting of the Cantonment also a Memo drawn up by me and which was laid

before

before the meeting of the 26 September 1877 shewing the results of several experiments I had carried out with the view of ascertaining the actual amount as well as cost of oil expended in lighting a Lamp such as that now in use by the Lighting Contractor nightly for the number of hours embodied in his Contract. I at the same time explained fully and explicitly to the meeting that I was satisfied the Contract could not be carried out in a satisfactory or efficient manner at a rate much below that shewn by my experiments, that it was for the Commissioners to decide whether it was most to the advantage of the Municipality and of the Public at Large to adopt a rate which would enable the work to be performed efficiently, or to give it at a reduced rate and when the work could only be carried out so as to be at all remunerative to the Contractor by supplying an inferior description of lights or by

Dr Orpen's calculations for lighting with oil and keeping at the Lamp 11½ hours each night

Minimum

Maximum

other acts in direct Contravention
of the terms of the Contract. I Consider
ed it my duty to put the Commissioners
in full possession of all the informa
tion possible on this subject so as to
enable them to form their own Conclu=
sions as to which of the rates should
be adopted and after giving the
matter full and I may add prolong=
ed Consideration, the meeting
ultimately adopted my proposal
to renew the Contract to the present
Contractor at the present existing
rate by a majority of 5 against 3,
rate proposed by me 2 Reports
was Calculated on a Statement of
the Cost of lighting drawn up by
the Accountant of my office from
data I had supplied to him - -
subsequent to the meeting however
a mistake was discovered in the
figures as noted by me in the 1st P.
added at foot of Resolution and

Consequently

Consequently the rate I propose to allow in the future Contract will be (Rupees 1—12—0 and not 2 Rupees per light per mensem. It will be observed that the Committee convened for the purpose of opening the Tenders in their proceedings confined themselves to simply recording the names of the several parties submitting tenders and the rates specified by each, the lowest being that received from one Sathasiva (Kow. On sending for this person to my office I had no difficulty in satisfying myself as indeed might have been anticipated from the fact that previous to his submitting the tender he had not thought it necessary to make himself acquainted with the terms and Conditions of the Contract he proposed to carry out, that he was utterly ignorant of even the simplest details of the work, and that he was Consequently a very unfit person

person to be entrusted with such
an important duty.

I mentioned at the meeting of
the 26th Ultimo that I proposed to
adopt other measures for ensuring
a better supervision of the lighting
and at the meeting held on the 2nd
instant I explained what these
measures were - I proposed that a
Lighting Overseer should be appointed
whose duty would be to inspect
daily a certain number of Municipal
burners to see that these were all
in perfect order, and who would also
nightly inspect a certain number of
the lighted lamps and report as to the
condition he found them to be in.

I have the honor to be
Sirs
Your most obd. Servant

[signature]
President Municipal Comm.
Bangalore Cant.

Ld ps

deliberately letting
aside, as they have done,
the ~~most~~ ~~offended~~
~~Board~~ safe and constitutional
course of acting upon the
advice of the Special Committee
to accept the tender of
Sadgrove Hall or of, as
now stated by Dr Orr for the
first time in their proceedings,
their Nominee, ~~Mr~~ ~~Hall~~
who undertook the contract,
in selecting some other of the
tenders - The Board have
clearly fallen into a grave
blunder by resolving, on insufficient
data, to annul the contract to
Harry Appleby Bros at the rate
which is now stated by Dr
Orr to be in excess of what they
would pay to have
performance of the contract.
It is not apparent why
Harry Appleby Bros as the present
contractors have been allowed
to state in the contract at the
high rate of 2 per light, when
they have ~~already~~ proved that
they can execute the repairs of lamps
and lanterns for the past
3 years ~~at~~ apparently, where
they were specially selected to obtain
the contract, if there are others
among the parties who tendered
competent to do the work with
I must draw the attention of
the Committee to the circumstance that
in the list of tenders now furnished,
Harry Appleby Bros are shown as
Entering no rate of tender.
They were the lowest tenderers
[illegible]

by 2/11

[illegible]

to approve or disapprove
of such proceedings -

BPP

1/11/77

The President proposed to renew
the contract to Harry Appleby Bros
for another 3 years, having been
carried by a majority of 2 to 1,
the votes being as stated 5 to 3, the
Chairman voting with the majority
to make.

From a perusal of the papers
now known, it is evident that
the proceedings in the matter
have been conducted in a
manner which has given rise to
some grounds for complaint &
much criticism.

It may be observed that the proposal
of Dr Orr in favor of Harry Appleby
contract was made at the Board
on the ground that he
"conscientiously believed that
the contract could not be duly or
efficiently carried out at a
lower rate than 2 to per light"
This belief was apparently
founded on experiments made
by Dr Orr which showed that
the cost of lighting one light for 2.3
per lamp per annum - But the
Committee proved, as Dr Orr
admits, the fallacies in
the experiments, and
in their present letter, he says
that he proposes to recommend
that the contract and shall
be at £1-12 per light.
It is obvious that the Board
in determining the contract
in favor of Harry Appleby Bros
acted on inspection of the
information supplied by Dr Orr
experiments, and it must
still appear that the Board
have not yet had before them
the full particulars which
have led to the proposed change

supply of oil & 100 spare burners & chimneys shd always be kept deposited at the Municl Office. The further consideration of the matter was deferred apparently to allow Sadasiva Rau time to consider whether he agreed to all the conditions proposed - but at the meeting of the Board a new proposition was just forward by the President - to accept Rampal Lalji's Contract on a revised rate.

So far as the voting & terms of all of the above propositions was concerned there was no inequality -

BVV
31/10/77

Can in proceedings of an ordinary meeting of the Board be overruled by a Special or Joint Meeting especially convened? What do the Municl Regulations provide on the point? BVV 1/11

There seem to be no provision on the point. But in 325 it is laid down that the proceedings of a Committee (appointed by the Board) shall be submitted to the Municl Commr. From this it may be inferred that the Board have the power either the Comm

Form No. 9.

1877.

From

The President,

Cantonment Municipal Commission,

Bangalore,

To

The Secretary to Chief Commissioner,

General Department.

Dated.
Despatched. } 31st October 1877
Received.

Enclosures No. 2

General No. 3047
No. 31/12/77

— Forwarded Copy of Cn C. Committee's report &c on the tenders received for supply of oil &c.

BVV
31/12/77

From the proceedings of the Committee, dated 26, 27 31 ult. last it would appear that the Committee almost recommended Sadasiva Rau's tender as being the lowest & most favorable subject only to an additional condition being inserted in the bond to the effect that 3 months

Caxton Press.

Form No. 9.

1877.

From

The President,

Cantonment Municipal Commission,

Bangalore.

To

The Secretary to Chief Commissioner,

General Department.

Dated.
Despatched. } 31st Octr 1877
Received.

Enclosures No.

General No. 3.
No.

Forwards letter dt/27th inst from Mr T. G. Leonard the Commr Nos Dis requesting to attach two guns to this Office Orders dt/24th & Office Captain above Dis.

Subt for orders, with the previous communication from President

S.S 18th inst marked Seem to make it compulsory that previous notice of the matter should be given

PT
31/10/77

Let orders & proceedings be issued by the President for necessary action by the Board. Also let Commander all necessary papers & letters of the Captain by 1/11

Caxton Press

Cantonment Commrs Office
3042 & Ex Bangalore 31st October 1877.

To

The Secretary to the
Chief Commissioner of Mysore

Sir,

I have the honor to forward a letter dated the 27th Instant to my address from Mr T T Leonard Municipal Commissioner No 5 Division, and which Agreeably to his request I have to request you will be so good as to attach to the proceedings of the meeting of the Municipal Commissioners held on the 24th Instant and forwarded to you on the 27th Instant.

Mr Leonard at the meeting referred to certainly in the course of the remarks made by him objected to the question brought forward by Mr Henderson being discussed at that meeting, but he submitted no formal protest on the subject such as he would now

Accordingly

seemingly wish to make it appear
was done by him otherwise his
protest would certainly have been
entered on the Record.

With reference to para 2 of
his letter I have to state that Mr. Newton
did not propose or invite any discussion
on Mr. Leonard's letter, he referred to
the letter merely as involving in his
opinion a point of order - Mr. Newton
submitted that Mr. Leonard was out
of order in addressing you, and Re-
commending that the Chief Commissioner
should censure the members who voted
in the majority on a proposal brought
before the last meeting of the Board -
The question raised by Mr. Newton
I considered was one of very great
importance involving as it did
the free expression of opinion at
Municipal Meetings and as Mr. Newton
and those who Concurred in his
views declined to vote on any point

then

then under discussion until some definite understanding on this point could be arrived at. I proposed that with the Consent of the meeting an adjournment should take place and having submitted a formal proposal to that effect to the meeting, the same was as recorded by me in the Proceedings almost unanimously adopted.

I have the honor to be
Sirs
Your most obd't. Servant

J. M. M

President Mineral Commission
Bangalore Contonment

Gd. J.M.

Proceedings of the Chief Commissioner of Mysore.—

1. Resolution No. 6 embodied in Proceedings of an ordinary meeting of the Cantonment Municipal Commission held on the 26th September 1877. (submitted with President's No. 3773 dated 5th October 1877.

2. Letter from the President Cantonment Municipal Commission No. 3041 dated 31st October 1877.

3. Do. —— Do. —— Do. No. 2998 dated 27th October 1877, submitting Proceedings of an ordinary meeting of the Cantonment Municipal Commission held on the 24th October 1877.

4. Do. —— Do. —— Do. No. 3042 dated 31st October 1877, submitting a letter from Mr. T. T. Leonard, Municipal Commissioner No. 5 Division with remarks.

Order thereon:—

No. 283/257 dated 17th November 1877.—

On a perusal of the papers read above, the Chief Commissioner observes that the proceedings in regard to the disposal of tenders for the Lighting Contract have been conducted in a manner which has afforded some ground for misconstruction - At the Board's meeting on the 26th September last the President proposed that the Contract should be renewed to the present Lighting Contractors Ramjeppa Brothers for a further period of 3 years at 2 Rs per light on the ground it would seem that he "Conscientiously" believed that the Contract could not be duly or efficiently carried out at a lower rate than the above. This belief was, apparently, founded on experiments made by Dr Orr which shewed that the cost of lighting amounted to Rs 2-3- per lamp per mensem. But the calculations proved, as Dr Orr readily admits, to be fallacious, and, in his subsequent-

subsequent letter of the 30 ultimo, he states it to be his intention to recommend that the contract amount should be reduced to Rs. 1-12-a per light. It is obvious, therefore, that the Board, in determining the contract in favor of M/s Ramjapuja Brothers, acted on im-perfect and incorrect information supplied by Dr. Ward's experiments.

2. The Municipal Commissioners having invited the public to submit tenders for the contract appear to have appointed a special Committee of which the President was a member, to decide on the merits of the competitors and the decision was favorable to one Sathasiva Row, whose tender was the lowest. The precise grounds on which this decision was subsequently set aside at the instance of the President himself, are not quite apparent, but it is obvious, as the Chief Commissioner conceives,

That

that the principle of competition was wholly disregarded by the proceeding taken by the Board in approving of the renewal of the contract to Kenyon & Brothers, without any reference to the more favorable tenders made by other persons, or even to a tender for a lower amount submitted by the above contractors themselves. The effect of such a course of proceeding must be to bring the public to assume that the calling for tenders was a mere formality which it was not intended to act upon, and thus to bring the proceedings of the Board into discredit. In the present instance the resolution adopted by a majority is open to the imputation of being to say the least unwarranted arbitrary and capricious The Chief Commissioner however refrains from interfering to this extent of censuring the above resolution as he observes that it is the intention of the President to bring the question

before the Municipality & give rise to the impression that the proceedings are wholly for the benefit of a party. It is in consequence that the Chief Commissioner has felt himself constrained to take steps, for which he is avowedly unwilling to assume responsibility by the President & Commissioners of the Board to cancel the resolution and to take such

Consideration

procedure of re-letting the Contract before the Municipal Board when Mr. Saunders stood to that a decision will be arrived at which may prove to be more in conformity with the interests of water payers than that first provisionally arrived at.

3. At their ordinary meeting of the 24th ult. the Board have discussed the subject of a letter dated the 8th Inst. addressed to the Chief Commissioner by Mr. Leonard one of the Municipal Commissioners in which he comments on the proceedings of the Board's meeting held on the 24th September. The tone as well as the matter of Mr. Leonard's letter seemed to the Chief Commissioner unobjectionable that he restrained from communicating it to the Board. Mr. Leonard has himself however it appears, furnished copies of his letter to the President and members, and as Dr. Orr has sought permission to submit an explanation as required of

that regards certain matters in which
was his own conduct had been
impugned. Mr Saunders, although
he did not think considered it at
all necessary for him to have made
any special reference to
or any remarks on this subject will now
wait later any further expression of his
opinion in connection therewith &
to pending the receipt of Dr Orr's
rejoinder which will be awaited.
#4. The Chief Commissioner
has only to add that his communica-
tion of his resolution arrived
at by the Board on the 24th Ultimo
in which its sittings were ordered
to be adjourned sine die, and all
business consequently suspend-
ed, pending the decision of the Local
Government on a subsidiary point
raised by Mr Leonard in his letter
above referred to. The President of
the Municipal Commissioners was,
further, out of order in allowing
one of the members to initiate
a discussion on a subject of which
no previous notice had been given,

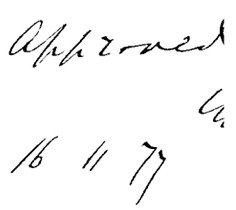
as required by Sections 18 and
21 of the Municipal Regulations.

attended
16-11-77

To, Secretary.-

The President,
Cantonment Municipal Comm.

16/11/77



1877

From

The Secretary to the Chief Commissioner
of Mysore

To The Secretary to the
Government
Home Dept

Dated 17th Nov 77

Despatched

Received

Subject - Measures No. 1C -

General No 7831

Dept No. 251

Reading orders
the Inspector of
Army Canteens

No 3419 & 2 Ex. Cantonment Commrs office
Bangalore 27 November 1877.

To

The Secretary to the
Chief Commissioner of Mysore

Sir

With reference to the Proceedings of the Chief Commissioner of Mysore and order thereon No. 3831/251 dated 17 November 1877 and adverting more particularly to the permission accorded to me in para 3 of the above quoted order, I now do myself the honor to submit the following explanation as regards the matters in which my Conduct has been impugned by Mr Leonard Municipal Commissioner No 5 Division, in his letter to your address dated 8th Ultimo

2 Mr Leonard in paras from 1 to 5 of his letter would wish to make it appear that a Committee Convened

on the 30th of August last for the purpose of opening the Tenders received for the Lighting of the Cantonment had passed a Resolution making selection of the lowest tender that had been received and recommending that the particular Tender should be accepted, A reference to the proceedings of the Committee will shew how utterly erroneous such an assumption is. The Committee had been Convened simply for the purpose of having the tenders opened before them, and recording the result, and they confined themselves strictly to this duty, leaving it an entirely open question for the Commissioners, with whom alone rested the disposal of the matter, to decide at their next Ordinary Meeting which of the Tenders should be accepted.

3. The meaning of para 6 is somewhat obscure but it would seem

to

to be that she Leonard Considers it an act of discourtesy on my part that the resolution, as he is again pleased to term it, of the Sub. Committee for opening the tenders should be set aside by the Commissioners at their subsequent Ordinary meeting simply for an opinion held by myself, all I think it necessary to say in reply to this charge is, that no resolution was or could have been arrived at in this matter by the Sub: Committee, the regulations distinctly provide that previous to the President entering into any Contract in respect to any sum exceeding Rupees 100, the previous approval of the Commissioners must be obtained at one of their Ordinary or Special meetings, and it would consequently have been not only discourteous to the Commissioners, but in reality illegal, had I permitted a Sub Committee to arrogate to themselves a privilege they did not

DP

The respective stripes is leader by D'ow.

possess

possess, and which privilege was vested in and could alone be exercised by the Commissioners at one of their meetings.

4. I have no doubt the Comparative Statement submitted by Mr. Leonard as to the Cost of Lighting the Cantonment Lamps at the several rates is perfectly Correct, but I submit that these calculations are entirely beside the question at issue, and which is, what is the rate at which a Contractor can honestly, efficiently, and satisfactorily according to the terms of his Contract Carry out the lighting of the station

I have gone Carefully into this question and have satisfied myself from experiments personally Carried out, and enquiries I have instituted as to the lighting rates obtaining in other Municipalities, that the work Cannot be carried out at a lower rate than Rs 1—12—a per Lamp monthly, in support of

this

Dr Mr says it may be that the Contractor has circumstances known to, that the Contract can not be performed under 2 ½ per lamp per month

this view I need only instance the rates at present obtaining in Madras. The entire lighting plant is at Madras the property of the Municipality and the Contractor for its maintenance and for supplying oil and Wicks receives Rs 14-6 per Lamp monthly. The Madras Wicks are 3/4 of an inch broad and the Contract provides for the Lamps being lit from 6 p.m. till 12 midnight, the Contract now proposed to be entered into here provides for the Lamps being lit from 6 P.M. till 3 a.m. or for 3 hours longer than at Madras and which Circumstance alone would allowing the same rates to prevail at both places, raise the rate here to Rs 1-5-9 per Lamp, but there is another important factor in the Calculation that still requires to be taken into account, viz: the difference in the breadth of Wicks made use of here and at Madras.

In Madras Municipal Limits the Owners of the Property of the Municipality

In Madras a 3/4 inch broad wick is employed, whereas, here we use a 1 inch wick and allowing therefore 4 annas nightly per Lamp on this account and which was the amount sanctioned to the Contractor at the time the inch wick was substituted for 3/4 inch one the rate of Lighting here, taking the Madras rate as the basis of the Calculation, would amount to Rupees 1-9-4 per Lamp, thus leaving a margin only of annas 2 and pies 3 per Lamp to the Contractor, and from which he is required to find all the plant necessary for his Contract. With these facts and figures before me I submit that I had good grounds for recommending the renewal of the Contract at the rate of Rs. 1-12- per Lamp, that my Conduct throughout with reference to the disposal of the Contract has been fair and honest, and further that the charges now made against me by Mr Leonard of throwing away the poor taxpayers

This was left to Table proposed by Dr Ross & Mr Black in Board's Resolution & then left to Mr Chapman to frame

money, and of wilfully and wantonly wasting the public funds, are unfounded and utterly unjustifiable.

5. Mr Leonard in paragraph submits that my experiments cannot be taken as a basis to determine the cost of Lighting, but he does not condescend so far as to state why they should not be so taken, he then proceeds to point out that it cannot be presumed that parties in tendering for the Contract did so with facts and Conditions before them, and that no person especially a native will undertake to do any work unless he has gone thoroughly into details, how singularly enough, these preliminary and precautionary steps are exactly what the party whose claims Mr. Leonard advocates did not consider at all necessary. Previous to submitting his Tender he had failed to make himself acquainted.

HN

acquainted with the terms and conditions of Contract he proposed to carry out and when summoned to my office, I had no difficulty in satisfying myself that he was utterly and entirely ignorant of even the simplest details of the work, and was consequently a very unfit person to be entrusted with such an important duty.

But Sakurai has stated in his petition that 3 days subsequent to the Sub Committee meeting, he duly executed a deed of contract.

6. But perhaps the most serious charge is where in para 10 I am accused of highly irregular and improper Conduct, and of deliberately nullifying a legal document. I shall not here enter into the question as to whether these charges are libellous and defamatory, but Mr. Saunders I think will readily admit that they are of a very serious and grave character, and that it is only right and proper they should be made on good and sufficient grounds. I forward the Lighting Contract Bond herewith* for Mr. Saunders' inspection, and I

* to be duly returned when no longer required

and

am well assured he will be surprised to learn that it contains no such condition as that stated, and further that the very Bond and to which therefore Mr Leonard had a ready means of reference was actually in his (Mr Leonard's) possession when his letter of the 8th November was penned.

I have carefully gone over the list of Contracts entered into by me as President of the Cantonment Municipality during the last 3 years, and find that the only Contract I have during that period given to the so called favored Contractor was that for the Construction of Market Stalls at Ulsur these markets are open iron roofed sheds - the roofs of which are attached to the rafters by tin clips soldered on to the iron sheets, a work that could only be carried out by a tin Smith, and hence my reason for selecting Nunjapa Brothers for this work - Nunjapa Brothers have certainly never at any time supplied

the Municipality with Carts, and if they have supplied or repaired tools they have done so not through my instrumentality, but at the requisition of the Municipal Executive Engineer with whom rests the disposal of all matters of this nature.

Mr Leonard in para 11 has presumed so far as to dictate to the Chief Commissioner the line of Conduct he ought to pursue in disposing of this matter, and has not hesitated even to recommend that Mr Saunders will mark his displeasure (to use Mr Leonard's own words) at my proceedings and of those of the Members who voted in favor of my proposal. I feel that any Comment from me on such a proceeding as this is not only unnecessary but would be unbecoming and I shall here merely content myself therefore by Correcting a mis-statement as regards the results of the vote on my proposal to renew the Contract to Simpapa Brothers, this resolution was Carried

at

at the meeting by a majority of 5 against 3, and not merely by my casting vote as Mr Leonard has on two occasions in his letter thought fit to state

8. I must add in justice to Mr. Leonard that while this letter was under preparation I received the letter dated 17 Instant. Copy of which is appended, but of which I have refrained from taking any notice, as I considered it would be improper to do so while the matter was under reference for disposal by the Chief Commissioner

a copy may be sent to Mr Leonard

In Conclusion I have to request that I may obtain the Chief Commissioners sanction to furnish each of the Municipal Commissioners with a copy of this letter.

I have the honor to be
Sir
Your most obedt Servant

President Municl Commrs.
Bangalore Cantt

12

Bangalore
17 November 1877.

J. H. Orr Esq. M.D. C.B.
President Municipal Board
Bangalore

Sir

With reference to my letter of the 8th October last to the address of the Secretary to the Chief Commissioner - Copies of which I circulated to the Members of the Board. I wish now to state that on Consideration. I feel that I have made use of strange language than was appropriate. It was far from my intention to cast any reflection on you personally and if I have said aught that you consider as such I beg now to withdraw and recall such portion and to express to you my honest regret for having made use of any terms or expressions that may be Considered as an accusation or insinuation against you personally. I also beg to tender you my ample apology for the same

2 Apart from the above, I am

118

Yrs

the honor to state that I maintain and adhere to the principle I have advocated in my letter under quotation, and hold that I do not depart from the line of argument I have adopted with reference to the disposal of the Lighting Contract, or the objections I have taken to the subsequent proceedings which involve questions of summary importance not only to the members of the Board but to the Tax payers of Bangalore.

3. I shall feel thankful if you would be good enough to circulate this letter to all the members of the Board, while I shall forward a Copy to the Secretary to the Chief Commissioner for information.

I have &c
(Sd) T. T. Leonard
Assistant Secy

"True Copy"

The Commr's office
27 November '77

President Cantonment Committee

Form No. 9.

O. 4148

252

1877.

From

The President,

Cantonment Municipal Commission,

Bangalore,

To

The Secretary to Chief Commissioner,

General Department.

Dated.

Despatched. 27 November 77

Received. 28 "

Regd

Enclosures No. 2 one

General No. 3419 } 1877.
No. }

(Reports on the supply of the lighting Contractor

To Secretary
Genl.
28 11 77

Sent with reference
Genl.
The principal allegation made agst Dr Cox by the Secretary in para 10 of his letter of 8 Oct is his contempt & the conduct of the Board, in

Caxton Press.

Is fully the Contractor may appear to have allowed the gaps in the Work to remain lighting & Watering unduly after 15th June 1877 the Board think they must substitute the Contractor from supplying in any manner, Cash or Coupons with it, or in connection with any of the Officers or Servants of the Municipality The charge agst Dr Cox therefore is wholly unfounded, & the Board think it is very desirable in the interests of both that Dr Cox's letter should be withdrawn as it now stands it is a legal document

Memorandum

A Box containing (2) Five Gallon Tins costs here Rupees 10—8—0 or equal to Rs 1—4—9 3/5 per Gallon - One Gallon Contains 5 bottles, the Cost therefore of a bottle is 0—3—4 8/25 p. a bottle Contains 8 drachms, the Cost of a drachm is Consequently 0—0—5 1/25 p.

I filled a Lamp with 5 1/2 drachms and after burning 8 hours, the Lamp was found still to Contain only 1 3/4 drachms, there were thus 3 3/4 drachms Consumed within the 8 hours, the price of 3 3/4 drachms at the above, rate will be found to Amount to 0—1—6 9/10 a Lamp, therefor burning a Lamp for 20 days in the month will Cost 0—Rs:1—15—6 months.

Dr. J. Ottaci
Bangalore
26 Sept. 77

Residency Surgeon
Bangalore Station.

No. 2992-96

Office of the Cantt. Municipal Commission

Bangalore 2, 7 October 1879

From

The President,

Cantonment Municipal Commission,

Bangalore.

To,

The Secretary to the

Chief Commissioner of Mysore.

Sir,

In forwarding for submission to the Chief Commissioner, the Proceedings of an Ordinary Monthly meeting of the Municipal Commissioners held at their office premises No 12 Residency Road on Wednesday the 1st instant - I have the honor to request you will do me the favor to call the Chief Commissioners attention to a letter to your address from Mr T. T. Jeans Municipal Commissioner, No 5 Division, a copy of which letter was forwarded to me by him & onwards. As the letter above referred to is full of statements which reflect most personally and injuriously on my Conduct generally and on my proceedings in particular with reference to the Division and the letting of Contracts and which formed the subject of discussion at the said

Form No. 73.

3650

240

187 .

From

The President,

Cantonment Municipal Commission,

Bangalore.

To

The Secretary to Chief Commissioner,

General Department.

Dated.

Despatched. 27/10/77

Received. 27-10-77 P.M.

Enclosures No

General No. 2908.

No

With reference to the Proceedings of the General Department No 8 dt 25-10-77

W. H. Nicholson - Forwarded

27-10-77

Transcribed by Caxton Press

No 8

Proceedings of an Ordinary Meeting of the Cantonment Municipal Commission held at their office premises No 12 Residency Road on Wednesday the 24th October 1877 at 7½ a.m.

President
Doctor J. A. Orr CB. Present

Present	Absent
The Assis" Supdt. of Police	The Assis" Dr Mr. Genl Hy Dr
The Sur Surgeon	The Deputy Surgeon Genl I. M. D.
Mr. A. Veerasawmy Moodhar	The Asst. Engineer N. Dr
Mr. Abdul Hussain Saib	The District Engineer
Mr. D. A. Abraham	Mr. P. Ranjia Moodhar
Mr. Abdul Kadre Pir Saib	Mr. V. Sadasiva Moodhar
Mr. B. Ramalingum	
Mr. T. T. Howard	

Just as the Proceedings were about to commence Mr. Newton addressing the President said he had a few remarks to offer, and which he would wish to make previous to the business of the day being proceeded with - Mr. Newton then addressed the meeting to the following effect:-

Before the Commencement of proceedings

to day I wish to invite attention to a letter from Mr. T. J. Leonard Municipal Commissioner No 5 Division, to the Secretary to the Chief Commissioner touching the Lighting Contract which formed a subject of discussion at the last meeting dated 26th ultimo, a copy of this letter was forwarded to me by Mr. Leonard, and I have no doubt to the other Members of the Cantonment Municipal Commission.

In para 11 the writer asks that notice will be taken by the Chief Commissioner of the conduct of the Members Concurring with the President Doctor Orr in his unjustifiable proposal as to the disposal of the Contract

I as one of the Members object most strongly to this very irregular action on the part of an individual Member of the Commission who because he is in the Minority on a point which has been fully discussed at a general meeting of the Board wants the Chief Commissioner not only to Censure the majority but to revise their decision.

If such a digression of procedure be

be tolerated I fail to see the object of the meeting; for members will naturally hesitate to express an opinion which may lay them open to official censure on the representation of a member who imagines himself aggrieved and I for one must decline to vote on any point under discussion till there is some definite understanding as to the right of a Municipal Commissioner or Member of the Commission to act in the way the Municipal Commissioners of No 5 Division has thought fit to do.

Mr Pereira remarked that he fully concurred with the representations made by Mr Hewetson on the unjustifiable conduct of Mr Leonard and added that the unprecedented and uncalled for procedure — adopted by Mr Leonard in having as a mere individual member of the Board, and one who failed to have his proposition, viz/ Sathasiva Rowé tender accepted appealed to Government not only to set aside a decision formally and according to Rule

arrived at by votes of the President and
members but likewise suggested after many
incorrect statements, that Government
should also pass an order of Censure on
the President and Members who legally
gave utterance to their opinions and
had not thereby voted with him, that
Mr. Leonard's remark about the Sanita-
tion of the Cantonment being in a dis-
graceful Condition was incorrect and it
was not possible for the Municipality to
have done more than what has been
done considering the extraordinary times
which brought in thousands from not
only adjacent surrounding villages and
towns but likewise thousands from Calcut.
Dinapur and other Districts and even from
Her Majesty's Territories converting the
whole of the Bazaars and Streets into
places for sleeping &c.

Mr. Leonard was understood to
say that he disavowed any intention
to violate or interfere with the penal

Code

mode of procedure) regulating the transaction of Municipal business and that in suggesting in his letter to Major Clarke dated 8th Instant that the Chief Commissioners should mark his displeasure at the Proceedings of the President and the other Members who voted in the Majority on the Presidents proposal recorded in Resolution 6 of Proceedings of last month, he was simply acting on the broad principle that the Commissioners on that occasion did not vote in the interests of the Taxpayers.

The President observed that he would prefer any remarks he might have to make by first reading the rules laid down by the Regulations regarding the mode of transacting business at Municipal Meetings and after reading Sections 22 and 23 of the Municipal Regulations of 1871 he went on to say that he entirely Concurred in the remarks made by the Honorable and the Senior.

That

That the letter to which these Commissioners had referred contained many grave and serious charges against himself personally that in one of its paras he had been accused of using the almost unlimited power he was stated to possess in an arbitrary, unfair and dishonest manner and of wilfully and wantonly wasting the public funds, in another para, he is again accused of highly irregular and improper conduct and of deliberately nullifying a legal document - he assured the Commissioners that these charges one and all had no foundation in truth; and after going into several of them in detail and shewing how many and gross mis-statements Mr Leonard had thought fit to indulge in; he went on to observe that he considered that Mr Leonard's proceeding in this matter was not only insulting to himself and the Commissioners

who had voted with him in the late case but were entirely opposed to, and subversive of the rules laid down by Government for the transaction of business at Municipal Meetings, that if the Municipal Commissioners were liable to censure for a vote given by them at a Municipal Meeting all freedom of action and freedom of opinion would under such circumstances be at an end - he was consequently of opinion that the business of the present meeting could not be proceeded with, and that it was necessary that an adjournment should take place to allow of an Authoritative decision being arrived at on the question now raised with the consent therefore of those present he proposed that the meeting be adjourned till some future date and of which due notice would be given. After a few remarks from Mr Abraham and Mr Abdul Hussain a formal proposal to the above effect was put to the

Meeting

meeting by the President and agreed to almost unanimously.

Office of the Pres Court
(Bandalor)
24 Oct 1897.

President the Court
Bandalor

Form No. 9.

1877 D. 3831 244

From

The President,

Cantonment Municipal Commission,

Bangalore.

To

The Secretary to Chief Commissioner,

General Department.

Dated.
Despatched. 8 November 1877.
Received. 8th "

Rep 10

Subject

Forwards for the orders of the Chief Commissioner the Proceedings of the Monday Meeting of the Cantonment Comm.rs d/24th October 1877.

No. 2998 d/27 October 1877.

Enclosures No,

General No. 3[illegible]
No. 1

Has the honor to invite his attention to the Communication marginally noted and to request an early reply thereto.

President & Executive Officers

To Draftsman

8-11-77

The papers in Ymk with the disposal of the application which was made by Mr Ellis on 31 Ultimo

12/11/77

Caxton Press.

1665 O. 3939

1877. 675

From Mr. T. T. Leonard
Municipal Commr.
5 Division.

To Secy. to Ch. Commr of Msure.

Dated 14 November 1877.

Despatched

Received

Enclosures No.

General No. No. 3939 1877.

Lighting Contract of Bang

to the Commr

Bangalore Novr 14th 1877.

To

Major Lindsay Clarke
Secretary to the
Chief Commissioner
Bangalore.

Sir.

With reference to my letter of the 8th October last, bringing to notice the proceedings of the Municipal President & Board in regard to the Lighting Contract of Bangalore, I beg leave to lay before you the following.

2. The lighting of the street lamps of the town of Madras is carried out by Contract, and the terms on which this Contract is carried out, are almost similar to the conditions in force in Bangalore. The rate which obtains now in Madras is 14 Annas 9 pies per lamp per Mensem the present Contract in Madras was entered into by the Municipality of Madras on the 1st April 1877 is for the period of one year

3. I submit the above respectfully for the consideration of the Chief Commissioner, and beg to draw attention to the same with special reference to paras 4 and 5 of my letter under quotation, wherein it is stated that the Lighting in Bangalore cannot be carried out for a less rate than Rs 2 per lamp

to

per mensem, and on which, timming and the tenders recommended by the Sub Committee, D: On basis his Conservations Resolution. From Enquiries made, I have ascertained that the Lighting of Madras has now been done formerly at Annas 12. per lamp per mensem.

4. There is no disparity as to purchase of oil; the Bangalore Contractor may purchase at the same rate in Madras as the Madras Contractor, and the only extra Charge would be the Rail charge, which is about 1 Rs per box of 2 tins. Assuming therefore that the Madras Contractor does his work to the Board's satisfaction at his rate of 14 Annas 9 pies per lamp per mensem, then it will readily suggest itself to any unprejudiced mind that the Lighting of Bangalore can be carried out for the rate of Rs 1-7-0 per Lamp, which is the rate selected by the Sub. Committee, and which is about 60 per cent over the present Madras rates.

I have the honor to be
Sir
Your obedient Servant.

Jas. Leonard
Offg. Ex. Engr.
Mr. Const. 5 Div.

Forwarded for the information of the Superintending Engineer, Chief Division, Mr. Bowers.

Form No.

1877. 0 2941 246

From

The President,

Cantonment Municipal Commission,

Bangalore,

To

The Secretary to Chief Commissioner,

General Department.

Dated.

Despatched.

Received. 1-7

Enclosures No.

General No.

No.

and to request he will be good enough to submit the same for the information of the Chief Commissioner together with those already furnished from this office.

The undersigned further begs to add that it will be seen from the accompanying printed letter dated 3rd August 1897 from the Punjab and Brothers that they solicited the extension of the present Contract for a further period of three years at the same rate as now allowed to them in the place of the great loss they will be subjected to if they were suddenly deprived of their Contract.

[illegible]
Asst Commissioner

C 1394
685

1877.

From Mr Y. Y. Leonard
Municipal Commr.
Ryde

To Secy. to Ch. Commr of Mwys

Dated 17 November 877.

Despatched

Received
Nov 20 Enclosures No.

General No. } 1877
No.

Forwards copy of his letter to
Ryde apologizing for certain remarks
made use of by him.

File 877
77/11

Bangalore 17th Nov 1877.

A. A. Orr Esq. Ins. D, C.B.,
President. Ist Board
Bangalore.

Sir.

With reference to my letter of the 8th Oct
last, to the address of the Secretary, to the Chief Com
= missioner — Copies of which I circulated to the
Members of the Board —, I wish now to state
on Consideration I feel that I have made use
of stronger language than was appropriate
was far from my intention to cast any reflec
= tion on you personally, and if I have said
aught that you consider as such, I beg now
to withdraw and recall such portions & to
express to you my honest regret for having
made use of any terms or expressions that be
be considered as an accusation or insinua
tion against you personally; I also beg to
tender you my ample apology for the same.

2. Apart from the above, I have the honor
to state that I maintain & adhere to the prin
= ciple I have advocated in my letter under
quotation, and hold that I do not depart from
the line of argument I have adopted with
reference to the disposal of the Lighting Contract,

M-

the objections I have taken to the subsequent proceedings of the Board, which involve results of primary importance not only to the members of the Board, but to the Taxpayers of Bangalore.

3. I shall feel thankful if you would be good enough to circulate this letter to the Members of the Board, which I shall forward a Copy to the Secretary to the Chief Commr. for information.

I have the honour to be
Sir,
Your obedt Servant
/sd/ Thos: J. Leonard
Asst. Comr
5th Div.

True Copy/
Thos. J. Leonard
Asst. Comr. 5th Div.

Forwarded to Major J. Clarke
Secretary to the Ch: Comr
Bangalore.

7th Nov 1872

1877. № 301

From

To W. T. Goward
Assistant Commr
5th Division
Bangalore

Dated Bangalore 19th November

Despatched "

Received Dec 22

Enclosures No. "

General No. 7520

G No. 111

Gen letter No. — of 14th November 1877 on the subject of the Lighting Contracts of Bangalore and the rate at which it could be carried out

X intimating the date at which the Lighting Contract for the Fort of Madras has been undertaken

In accordance with the Chief Commr's Instructions conveyed in the above Communication ~~Mr Goward~~ Mr G. the Assistant Commr has proceeded to the Arabian Choultry and there held a meeting of the Conservancy Committee of the Municipal Board

To Inspector

Conservancy

Municipal

1877.

From

The Secretary to the Chief Commissioner of Mysore.

To

The President Cantt
ml Commrs Peon.

Dated 22nd } November 1877
Despatched }

Received

Enclosures No. 3.

General No. 2885-
ml. No. 258

Presidents no. 3279 of
the 16th November 1877.

Returns the Tenders of the above ~~as per margin~~, receives ~~with the above~~.

Notice no. 1755 dtd 8th Oct 1877.
Messrs Kanjappah and Brothers Tender dated 23rd August 1877.
do — do Tender dtd 30th August 1877.

By order,

Asst Secretary

Form No. 9.

0.4233

1877. 256

Drafts
-1
12 77

Please see
the remarks made
by the Chief in connection
with Resolution No 4
and Major Clarke's
memo below —

Allusion is
made by the Chief
to a letter written
by Mr Young in
August last, copy of which
was ordered from
Chief for his records
but —

Whether it might
have been the intention
of Mr Young to bring
the subject of the
Powers of the Vice
in the Cs Approval,
& 19 of the Perpetual
Rules required —

I Please Note
in Sec. 19. —
2. Did Mr Young attach
to his letter to Chief
any Memo? Mr Clarke
Mr Young
Mr Clarke

From

The President,

Cantonment Municipal Commission,

Bangalore.

To

The Secretary to Chief Commissioner,

General Department.

Dated.
Despatched. 3rd December 1877.
Received. 4th

Regd 5 — "

Enclosures No.

General No.
No.

I have the honor to forward herewith the Proceedings of an adjourned Meeting of the Cantonment Municipal Commission held at their office Frances Road (Residency Road on Wednesday the 21st November 1877 and request that you will be so good as to submit the same to the Chief Commissioner

Caxton Press

for information

Agreeably with the instruc-
tions conveyed in the Sec $\frac{4774}{8822}$ d/ 9th
August 1876 a Copy of the Proceedings
herein referred to has the day
been forwarded for publication
to the Compiler Mysore Gazette in
the issue of Saturday the 8th instant.

President Cantonment Committee

Enc.

No. 10.

Proceedings of an adjourned meeting of the Cantonment Municipal Commission held at their office premises No 2 Rendiny Road on Wednesday the 21st November 1877 at 7½ am

President

Doctor J St Cruz C.B present

Present

Superintendent of Police
Surgeon

Absent

The Asst Surgeon in charge
The Deputy Commissariat Officer
The Executive Engineer
The District Engineer

Municipal Commissioners of Division

No 1 Main Division

P. Ranjit Moodliar
V. Padaveratroodliar

No 2 Chaleay Division

A. Veeraswamy Moodliar

No 3 Mudhurai and Fort Division

Arunachellam Pillai
J. A. Abraham

No 4 Vannarpettai Division

Arunachellam Pillai. Mr. A. Gnanaswami Moodliar

No 5 Mastanpetty Division

Ramalingam
P. Ponnaiah

The progress report, account current statement of Cash balance report for the same period are submitted, and after examinat

Receipts

Octroi
- Class 1 Articles of food or drink for men or animals
- " 2 Animals for slaughter
- " 3 Fuel lighting and washing
- " 4 Building Materials
- " 5 Drugs, spices and gums
- " 6 Tobacco, betel and betel nuts
- " 7 Cloth
- 8 Metals

II Tax on houses, buildings, and lands
III Tax on professions and trades or Collection of liquor license fees
IV Tax on horses, Carriages, &c.
V Tolls on Carts, Carriages &c.
VI Special taxes under Section II Act VI of 1868

VII Rents
- 1 Nazul lands
- 2 do shops
- 3 Seraes
- 4 Confiscated lands
- 5 Compound or site tax

VIII Gardens

IX Extraordinary
- 1 Sale of houses and lands
- 2 Loans
- 3 Refunds and recoveries
- 4 Interest on securities and loans
- 5 Other items

X Fines
XI Pounds
XII Miscellaneous
XIII Transfers and Contributions by the Mysore Government on account of relief works

Total Rupees

To Cash Balance brought forward from last months' account to

Total Rupees

Resolution — Approved.

's accounts for September 1877, together with the Mortuary

Expenditure		Amount		
	1 Water tax	34	13	8
	2 " Tax on houses, buildings and lands	268	10	5
	3 " Tax on professions and trades	13	10	8
tions	4 " Tax on carriages, horses, &c.	"	"	"
	5 Tolls on carts and other vehicles	"	"	"
	6 Special taxes	"	"	"
	7 Rents assigned to Municipality	245	2	"
rd Office Charges		772	4	5
	1 Supervision	482	3	3
	2 a Original works	925	3	5
	b Purchase of land	"	"	"
lic works	c Compensation for houses	"	"	"
	3 Repairs	2632	5	5
ice		1490	5	7
cation		"	"	"
	1 Dispensary and medical charges	"	"	"
ableGrants	2 Vaccination	20	"	"
	3 Asylums	"	"	"
rvancy		1399	7	11
d Watering		143	3	"
lting		688	"	"
	1 Public Gardens	"	"	"
ens	2 Nursery	7	"	"
	3 Farms	"	"	"
	1 Museums and Institutes	"	"	"
rdinary	2 Purchase of Government Notes	"	"	"
	3 Fairs and Exhibitions	"	"	"
	1 Repayment of loans	"	"	"
	2 Refund of Fees & Collections	"	"	"
cellaneous	3 Cattle Pound Charges	108	"	"
	4 Statistics and mortuary registration	90	"	"
	5 Other Miscellaneous items	319	6	6
we and from Contributions on account of relief works		127	7	11
	Total Rupees	9767	4	2
Balance carried to next months accounts		6356	12	6
	Total Rupees	16124		8

Mortuary Register Bangalore

Statement of Births and Deaths within Cantonment Municipal Limits during the Month of September 187

Causes of Deaths	Europeans		East Indians		Musulmen		Hindoos		Native Christians		Other Classes		Buddhists		Total		Total in		Difference	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	September 1877	August 1877	Increase	Decrease
Cholera	"	"	"	1	"	1	2	"	"	1	"	"	"	"	2	3	5	30	"	25
Small Pox	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Fevers	"	"	"	1	6	4	16	23	3	1	"	"	"	"	25	29	54	149	"	95
Bowel Complaints	1	"	2	"	10	7	23	20	13	15	"	"	"	"	49	42	91	677	"	586
Suicide	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Wounding	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	1	"	1
Accident	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	1	"	1
Snake bites or killed by wild beasts	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
Other Causes																				
Aldage	"	"	"	1	"	"	5	5	"	1	"	"	"	"	5	7	12	"	"	"
Diphtheria	"	"	"	"	"	"	2	"	"	"	"	"	"	"	2	"	2	"	"	"
Fit	"	"	"	"	"	"	1	1	"	"	"	"	"	"	1	1	2	"	"	"
Convulsion	1	"	1	"	3	3	2	3	"	1	"	"	"	"	7	7	14	"	"	"
Debility	"	"	"	"	3	"	5	5	"	6	"	"	"	"	8	11	19	"	"	"
Consumption	"	"	"	"	1	"	2	"	"	"	"	"	"	"	3	"	3	"	"	"
Pneumonia	"	"	"	"	"	"	"	"	"	1	"	"	"	"	"	1	1	"	"	"
Apoplexy	"	"	"	"	"	"	"	"	1	"	"	"	"	"	1	"	1	"	"	"
Ascites										1						1	1			

Lockjaw	″	″		″	1	″	″	1	″	″	″	″	″	″	1	1	2	″	″	″
Asthma	″	″	″	″	″	1	1	″	″	″	″	″	″	″	1	1	2	″	″	″
Paralysis	″	″	″	″	1	″	″	″	″	″	″	″	″	″	1	″	1	″	″	″
Boil of the Neck	″	″	″	″	″	″	1	″	″	1	″	″	″	″	1	1	2	″	″	″
Atrophy	″	″	″	″	″	″	1	″	″	″	″	″	″	″	1	″	1	″	″	″
Sloughing Phagedena		″	″	″	″	″	″	1	″	″	″	″	″	″	″	1	1	″	″	″
Inflamation of lungs	″	″	″	″	″	1	″	″	″	″	″	″	″	″	″	1	1	″	″	″
Tetanus	″	″	″	″	″	1	″	″	″	″	″	″	″	″	″	1	1	″	″	″
Phthisis P	″	″	″	″	″	″	1	″	″	″	″	″	″	″	1	″	1	″	″	″
Total other Causes.	1	″	1	1		6	25	19	2	11	″	″	″	″	38	37	75	327	″	″
Total Deaths	2	″	3	3	25	18	66	62	18	28	″	″	″	″	114	111	225	1185	″	70
Total Births during the Month	2	4	2	1	13	9	40	32	7	8	″	″	″	″	64	54	118	179	″	6.

Abstract of Mortuary Return and Percentage of Births and Deaths on the Estimated Population 87,870

Classes	Births		Difference		Percentage of Births		Deaths		Difference		Percentage of Deaths	
	August 1877	Sept. 1877	Increase	Decrease	August 1877	Sept. 1877	August 1877	Sept. 1877	Increase	Decrease	August 1877	Sept. 1877
Europeans	5	6	1	"	.12	.14	13	2	"	11	.31	.04
East Indians	4	3	"	1	.16	.12	15	6	"	9	.62	.24
Musselmen	33	22	"	11	.21	.14	79	43	"	36	.52	.27
Hindoos	115	72	"	43	.22	.13	942	128	"	814	1.86	.24
Native Christians	22	15	"	7	.27	.18	136	46	"	90	1.67	.56
Eurasians	"	"	"	"	"	"	"	"	"	"	"	"
Other Classes	"	"	"	"	"	"	"	"	"	"	"	"
Total	179	118	1	62	.218	.14	1185	225	"	960	1.44	.27

Remarks

There were 225 Deaths during the month 5 from Cholera 54 from Fevers 91 from Bowel Complaints and 75 from other Causes detailed herewith

The Number of Deaths in September 1877 as Compared with those in August 1877 and the Corresponding month of the last year are as follows—

Of Europeans 2 against 13 Eurasians 6 against 15 Musselmen 43 against 79 Hindoos 128 against 942 and Native Christians 46 against 136 Shewing on the whole a Decrease of 960 during the month under review and 114 more than the Total of the Corresponding month of last year—

Age

Classes	Number died during the month	Under one year	1-6 years	6-12 years	12-20 years	21-30 years	31-40 years	41-50 years	51-60 years	Above 60	Total
Europeans	2	1	"	"	"	1	"	"	"	"	2
East Indians	6	"	3	2	"	"	"	"	"	1	6
Musselmen	43	4	12	3	3	6	3	2	3	7	43
Hindoos	128	9	16	6	9	6	23	14	14	31	128
Native Christians	46	2	17	8	3	4	3	4	2	3	46
Eurasians	"	"	"	"	"	"	"	"	"	"	"
Other Classes	"	"	"	"	"	"	"	"	"	"	"
Total	225	16	48	19	15	17	29	20	19	42	225

Market Prizes

Election of a Committee for reporting the names of Competitors for distribution of Market Prizes in December next.

Resolved — That the undermentioned Committee be appointed to report the names of persons to whom Market Prizes ought to be awarded on the 24th December 1877.

President

Doctor J. A. Orr C/B

Members

Wm E. Pereira — Wm Alcock Knowles Dalb

Wm T. Leonard — Wm Alexander Goodhew

Report of Budget Committee for 1878—79—

3. Report by the Budget Committee on the Selection of Works for insertion in the Budget for the official year 1878—79—

Resolution— That a Sub-Committee composed as under be appointed to revise the list and make a Selection therefrom of the Works most urgently required to the extent of Rupees 12,000 this amount being the limit of Expenditure that can be allotted under this head in the Budget of the ensuing Year

President

Doctor J. A. Cuz L.R.C.

Members

Mr. B. Dadachanji Goodhue	Mr. Alone Knowles Esq
Mr. F. Vellacott Goodhue	Mr. D. Ramalingum
Mr. Alone Stephen Smith	Mr. F. H. Abraham

Terms of new Contract for lighting the Cantonment & Terms of rate under which the new Contract will be entered into with the Messrs Ramyappa Bros: for lighting the Cantonment during the next (3) three years.

The President remarked that at the meeting of the 26th September last a resolution had been passed sanctioning the renewal of the Lighting Contract to Ramyapa Brothers at the present existing rate, subsequent to the meeting the President had discovered that there was an error in the Calculation as to the monthly cost of oil expended per Lamp, and he now solicited the sanction of the Commissioners to enter in the Contract Bond about to be drawn up the rate of One Rupee twelve Annas per Lamp, instead of Rupee Six as had been previously agreed to, he stated that he also proposed that a lighting Overseer should be entertained whose duty would be to make a thorough examination once monthly of all the Lamps used by the Contractor, as also to inspect a certain

Number

number of Lamps nightly and report to the President as to the Condition he found them to be in - Mr Abraham observed that he understood a reference had been made to the Chief Commissioner as regards the resolution arrived at at the previous meeting and he would wish to know whether any reply had been received - the President stated that a reply had been received from the Secretary to the effect that the Chief Commissioner would defer taking any action in the matter pending the decision that might be arrived at by the present meeting - he pointed out that what they had now to deal with was simply whether the rate of the Lighting Contract was now to be altered from Rs 2- to Rs 1-12- per lamp, and he thought it right that the Commissioners should confine themselves to this question alone - he also thought it desirable to correct a mis-apprehension that seemed to exist as regards it being necessary for their proceedings to require the

Confirmation

Confirmation of the Chief Commissioner
he stated that there was on the records
of the office a letter from Mr Bowring
dated 17 November 1869 in Mr Bowring
distinctly laid down that the Proceedings
of the Board need no longer be forwarded
to him for Confirmation - this Concession
if may be so termed was further
confirmed by the present Rules & b
Regulations that came into force on
the 1st April 1871. By these Regulations
the Municipal Commissioners were invested
with certain powers which they could
exercise in their Capacity as a Corporate
body - The entering into Contracts such
as the one now in discussion is one
of the acts the carrying out of which is
by the Regulations vested in the
Commissioners and such a proceeding
consequently if duly brought before
and sanctioned by the Commissioners
at one of their Ordinary or Special
Meetings does not require the

Confirmation

confirmation of higher Authority he deprecated therefor the action taken by one of the Commissioners in this matter, and which was he Considered entirely opposed to the spirit of the Regulations now in force.

Mr Leonard said that the President having admitted that there was an error in the Calculation an opportunity he Considered was afforded him of returning to the rate sanctioned at the meeting of the 26 September 1877, and which he held was too high - he instanced the rates allowed by the Madras Municipality and which was 14 Annas and 6 pies per Lamp between which and Rs 1-12- there was a great difference, and much more than the difference in the price of oil at the two stations would account for - the President replied that the terms and Conditions of the Contract at Madras and at Bangalore were entirely different,

that

that the Lamps used at Madras were of an inferior description, and that the hours of keeping the Lamps lit were also different - he Considered however that for the reasons already stated they ought now to Confine themselves strictly to the subject under discussion - the President's proposition that he should now be permitted to Contract for the lighting of the station at No 1 — 12 — instead of No 2 - having been put to the meeting was Carried by a majority of 8 to 2 - It was also resolved to employ a lighting Overseer as proposed by the President and after some discussion it was determined that the Overseer's pay should be deducted from the Contract allowance.

Proceedings of the Chief Commissioner of Mysore relating to proposed introduction of Standard Weights and Measures.

5. (Read – Proceedings of the Chief of Mysore No: 5713/ft 152 dated 9 September 1899 on the proposed introduction of Standard Weights and Measures into the Town and Cantonment of Bangalore)

Resolution – To be recorded

Compensation for Houses and Premises required for the proposed extension of Tredegar Road.

6. Read - Docket No 362 dated 9 October 1877 from the Surveyors submitting Compensation for amounting to £4785 - 0 - 0 for buildings required to be taken up for the proposed extension of Tredegar Road into the road South of New Market Square.

Resolved - It was determined the project was of too expensive a character to be entertained.

Proposed closing of Incinatchuk Coil Stunt for Wheel traffic.

7. Proposed closing of Incinatchuk Coil Stunt

Resolved— That as Incinatchuk Coil Stunt in its present state is Considered dangerous it was determined it should be closed to Wheel traffic and reserved for foot passengers only.

Mr T. T. Leonard's letter relating to Report:
petitions for building &c.

P. Read - Letter dated 16 October 1877 from
Mr T. T. Leonard Municipal Commissioner Ross
Division relating to the reports on petitions for
building &c.

After reading Mr Leonard's
letter, the President remarked that in his
opinion this Subject ought never to have been
brought before the Meeting - the practice
hitherto obtaining has been to forward
all building applications to one or other
of the Commissioners within whose Division
the applicant resided - if the Commissioners
would now prefer that they should in
Company visit these localities and
forward a Conjoint report they were at
perfect liberty to make any private
an arrangement among themselves to that
effect; and the President considered there
were grave objections to making an
an arrangement of this kind altogether on

on the Commissioners, and which was apparently the object Mr Leonard had now in view - after some discussion it was ultimately agreed that the matter should be left to the discretion of the Commissioners and who could either make a Conjoint report or each send in a separate report on all matters referred to them Connected with the Reclamation

(President Dist. Council)
Bangalore South

1877

GOVERNMENT OF MYSORE.

GENERAL.

MUNICIPAL.

To

THE PRESIDENT, CANTT. MUNL. COMMN.
MR. T. T. LEONARD, MUNL. COMMR.,
No. 5 DIVISION.

Dated December 13th.

Despatched

Received

Genl. No. 3078.
Muni. [illegible]

Passing orders on President's letter No. 3419, dated 27th November 1877, reporting on the subject of lighting contract.

Proceedings of the Chief Commissioner of Mysore, General Department, 13th December 1877.

MUNICIPAL.

READ again the following letters—

1. From Mr. T. T. Leonard, dated 8th October 1877.
2. To President, Cantonment Municipal Commission, No. 2602—225, dated 25th October 1877.
3. From do do No. 2998, dated 27th October 1877, with one enclosure.
4. From do do No. 3041, dated 31st October 1877, with two enclosures.
5. From do do No. 3042, dated 31st October 1877, with one enclosure.
6. From Mr. T. T. Leonard, dated 14th November 1877.
7. To Mr. T. T. Leonard, No. 7530—1147, dated 19th November 1877.

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1. Resolution No. 6, embodied in Proceedings of an Ordinary Meeting of the Cantonment Municipal Commission held on the 26th September 1877, (submitted with President's No. 3773, dated 5th October 1877.)
2. Letter from the President, Cantonment Municipal Commission, No. 3041, dated 31st October 1877.
3. Do do do No. 2998, dated 27th October 1877, submitting Proceedings of an Ordinary Meeting of the Cantonment Municipal Commission held on the 24th October 1877.
4. Do do do No 3042, dated 31st October 1877, submitting a letter from Mr. T. T. Leonard, Municipal Commissioner, No. 5 Division, with remarks.

Proceedings of the Chief Commissioner of Mysore, No. 2831—Munl. 257, dated Bangalore, 17th November 1877.

Order Thereon.—On a perusal of the papers read above, the Chief Commissioner observes that the proceedings in regard to the disposal of tenders for the lighting contract have been conducted in a manner which has afforded some ground for mis-construction at the Board's meeting on the 26th September last, the President proposed that the contract should be renewed to the present lighting contractors Nanjappa and Brothers for a further period of 3 years at 2 Rs. per light on the ground it would seem that he "conscientiously" believed that the contract could not be duly or efficiently carried out at a lower rate than the above. This belief was, apparently, founded on experiments made by Dr. Orr which shewed that the cost of lighting amounted to Rs. 2—3—0 per lamp per mensem. But the calculations proved, as Dr. Orr admits, to be fallacious, and, in his subsequent letter of the 30th ultimo, he states it to be his intention to recommend that the contract amount should be reduced to Rs. 1—12—0 per light. It is obvious, therefore, that the Board, in determining the contract in favor of Nanjappa and Brothers, acted on imperfect and incorrect information supplied by Dr. Orr's experiments.

2. The Municipal Commissioners having invited the public to submit tenders for the contract, appear to have appointed a special committee of which the President was a member, to decide on the merits of the competitors, and the decision was favorable to one Sadasiva Rao whose tender was the lowest. The precise grounds on which this decision was subsequently set aside at the instance of the President himself are not quite apparent, but it is obvious, as the Chief Commissioner conceives, that the principle of competition was wholly disregarded by the proceeding taken by the Board in approving of the renewal of the contract to Nanjappa and Brothers, without any reference to the more favorable tenders made by other persons, or even to a tender for a lower amount submitted by the above contractors themselves. The effect of such a course must be to discredit the action of a public body, such as the Municipality, and to give rise to the imputation that its proceedings are not wholly free from partiality. It is on this ground that the Chief Commissioner would have felt himself constrained to interpose, but for the avowed intention now expressed by the President to recommend to the Board the cancelment of its resolution and to submit the matter for re-consideration.

3. At their Ordinary Meeting of the 24th ultimo, the Board have discussed the subject of a letter dated the 8th idem, addressed to the Chief Commissioner by Mr. Leonard, one of the Municipal Commissioners, in which he comments on the proceedings of the Board's meeting held on the 24th September. The tone as well as the matter of Mr Leonard's letter seemed to the Chief Commissioner so object on-

able that he refrained from communicating it to the Board. Mr. Leonard has himself however, it appears, furnished copies of his letter to the President and Members, and as Dr. Orr has sought permission to submit an explanation as regards certain matters in which his own conduct has been impugned. Mr. Saunders, although he would not have considered it at all necessary for him to have made any special reference to the subject, will now defer any further expression of his opinion in connection therewith pending the receipt of Dr. Orr's re-joinder, which will be awaited

4. The Chief Commissioner has only to add that he cannot approve of the resolution arrived at by the Board on the 24th ultimo, in which its s ttings were ordered to be adjourned *sine die*, and all business consequently suspended, pending the decision of the Local Government on a subsidiary point raised by Mr. Leonard in his letter above referred to. The President of the Municipal Commission was further out of order in allowing one of the members to initiate a discussion on a subject of which no previous notice had been given, as required by Sections 18 and 21 of the Municipal Regulations.

To—The President, Cantonment Municipal Commission.

READ—

Copy of letter from Mr. T. T. Leonard, dated 17th November 1877 to the President, Cantonment Municipal Commission.

From the President, Municipal Commission, Cantonment Bangalore, To the Secretary to the Chief Commissioner of Mysore, General Department, No. 3419, dated Bangalore, 27th November 1877.

With reference to the Proceedings of the Chief Commissioner of Mysore and order thereon No. 3831—251. dated 17th November 1877, and adverting more particularly to the permission accorded to me in para 3 of the above quoted order, I now do myself the honor to submit the following explanation as regards the matters in which my conduct has been impugned by Mr. Leonard, Municipal Commissioner, No. 5 Division, in his letter to your address, dated 8th ultimo.

2. Mr. Leonard in paras from 1 to 5 of his letter would wish to make it appear that a committee, convened on the 30th of August last for the purpose of opening the tenders received for the lighting of the Cantonment, had passed a resolution making selection of the lowest tender that had been received and recommending that this particular tender should be accepted ; a reference to the proceedings of the committee will shew how utte ly erroneous such an assumption is. The committee had been convened simply for the purpose of having the tenders opened before them and recording the result, and they confined themselves strictly to this duty, leaving it an entirely open question for the Commissioners, with whom alone rested the disposal of the matter, to decide, at their next Ordinary Meeting which of the tenders should be accepted.

3. The meaning of para 6 is somewhat obscure, but it would seem to be that Mr. Leonard considers it an act of discourtesy on my part that the resolution, as he is again pleased to term it, of the Sub-Committee for opening the tenders should be set aside by the Commissioners at their subsequent ordinary meeting simply for an opinion held by myself, all I think it necessary to say in reply to th s charge is, that no resolution was or could have been arrived at in this matter by the Sub-Committee, the regulations distinctly provide that, previous to the President entering into any contract in respect to any sum exceeding Rs. 100, the previous approval of the Commissioners must be obtained at one of their ordinary or special meetings, and it would consequently have been not only discourteous to the Commissioners, but in reality illegal, had I permitted a Sub-Committee to arrogate to themselves a privilege they did not possess, and which privilege was vested in and could alone be exercised by the Commissioners at one of their meetings.

4. I have no doubt the comparative statement submitted by Mr. Leonard as to the cost of lighting the Cantonment lamps at the several rates is perfectly correct, but I submit that these calculations are entirely beside the question at issue, and which is, what is the rate at which a contractor can honestly, efficiently, and satisfactorily according to the terms of his contract, carry out the lighting of the station.

I have gone carefully into this question and have satisfied myself from experiments personally carried out, and enquiries I have instituted as to the lighting rates obtaining in other municipalities, that the work cannot be carried out at a lower rate than Rs. 1—12—0, per lamp monthly; in support of this view I need only instance the rates at present obtaining in Madras. The entire lighting plant is at Madras, the property of the Municipality, and the contractor for its maintenance and for supplying oil and

wicks receives annas 14 pies 6 per lamp monthly, the Madras wicks are ¾ of an inch broad and the contract provides for the lamps being lit from 6 P. M. till 12 midnight, the contract now proposed to be entered into here provides for the lamps being lit from 6 P. M. till 3 A. M. or for 3 hours longer than at Madras, and which circumstance alone would, allowing the same rates to prevail at both places, raise the rate here to Rs 1—5—9 per lamp; but there is another important factor in the calculation that still requires to be taken into account, *viz.*, the difference in the breadth of wicks made use of here and at Madras. In Madras a ¾ inch broad wick is employed, whereas, here we use a one inch wick, and allowing therefore 4 annas nightly per lamp on this account and which was the amount sanctiond to the contractor at the time the inch wick was substituted for ¾ inch one, the rate of lighting here, taking the Madras rate as the basis of the calculation, would amount to Rs. 1—9—4 per lamp, thus leaving a margin only of annas 2 and pies 3 per lamp to the contractor, and from which he is required to find all the plant necessary for his contract. With these facts and figures before me I submit that I had good grounds for recommending the renewal of the contract at the rate of Rs. 1—12—0 per lamp, that my conduct throughout with reference to the disposal of the contract has been fair and honest, and further that the charges now made against me by Mr. Leonard of throwing away the poor taxpayers' money, and of wilfully and wantonly wasting the public funds, are unfounded and utterly unjustifiable.

5. Mr. Leonard in para 9 submits that my experiments cannot be taken as a basis to determine the cost of lighting, but he does not condescend so far as to state why they should not be so taken; he then proceeds to point out that it must be presumed that parties in tendering for the contract did so with facts and conditions before them, and that no person especially a native will undertake to do any work unless he has gone thoroughly into details, now singularly enough; these preliminary and precautionary steps are exactly what the party whose claims Mr. Leonard advocates did not consider at all necessary. Previous to submitting his tender he had failed to make himself acquainted with the terms and conditions of the contract he proposed to carry out, and when summoned to my office, I had no difficulty in satisfying myself that he was utterly and entirely ignorant of even the simplest details of the work, and was consequently a very unfit person to be entrusted with such an important duty.

6 But perhaps the most serious charge is where in para 10 I am accused of highly irregular and improper conduct, and of deliberately nullifying a legal document; I shall not here enter into the question as to whether these charges are libellous and defamatory, but Mr. Saunders, I think, will readily admit that they are of a very serious and grave character, and that it is only right and proper they should be made on good and sufficient grounds; I forward the lighting contract * bond herewith for Mr. Saunders' inspection, and I am well assured he will be surprised to learn that it contains no such condition as that stated, and further that this very bond and to which therefore Mr. Leonard had a ready means of reference was actually in his (Mr. Leonard's) possession when his letter of the 8th November was penned.

* To be obligingly returned when no longer required.

I have carefully gone over the list of contracts entered into by me as President of the Cantonment Municipality during the last 3 years, and find that the only contract I have during that period given to this so called favored contractor was that for the construction of market stalls at Alsur; these markets are open iron roofed sheds, the roofs of which are attached to the rafters by tin clips soldered on to the iron sheets, a work that could only be carried out by a tinsmith, and hence my reason for selecting Nanjappa and Brothers for this work. Nanjappa and Brothers have certainly never at any time supplied this Municipality with carts, and if they have supplied or repaired tools they have done so not through my instrumentality, but at the requisition of the Municipal Executive Engineer, with whom rests the disposal of all matters of this nature.

7. Mr. Leonard in para 11 has presumed so far as to dictate to the Chief Commissioner the line of conduct he ought to pursue in disposing of this matter, and has not hesitated even to recommend that Mr. Saunders will mark his displeasure (to use Mr. Leonard's own words) at my proceedings and of those of the members who voted in favor of my proposal. I feel that any comment from me on such a proceeding as this is not only unnecessary but would be unbecoming, and I shall here merely content myself therefore by correcting a mis-statement as regards the results of the vote on my proposal to renew the contract to Nanjappa and Brothers; this resolution was carried at the meeting by a majority of 5 against 3, and not merely by my casting vote as Mr. Leonard has on two occasions in his letter thought fit to state.

8. I must add in justice to Mr. Leonard, that while this letter was under preparation I received the letter, dated 17th instant, copy of which is appended, but of which I have refrained from taking any notice, as I considered it would be improper to do so, while the matter was under reference for disposal by the Chief Commissioner.

In conclusion, I have to request that I may obtain the Chief Commissioner's sanction to furnish each of the Municipal Commissioners with a copy of this letter.

Proceedings of the Chief Commissioner of Mysore, General Department,
13th December 1877.

No. 3078—MUNL. 287, DATED BANGALORE, 13TH DECEMBER 1877.

ORDER.—The Chief Commissioner has perused Dr. Orr's letter of the 27th ultimo explanatory of certain matters in which his conduct had been called in question by Mr Leonard, one of the Municipal Commissioners.

2. Mr. Saunders is unable to alter the view which he has expressed in para 2 of his Proceedings of the the 17th November 1877, as to the course adopted by the Board, at Dr. Orr's suggestion, in capriciously setting aside the several tenders for the lighting contract in order to renew the contract with Nanjappa and Brothers for a further term, at a higher rate than that offered by others and on terms which were subsequently reduced.

3. Mr. Leonard has recently tendered to the President of the Municipal Commission a very ample apology for that part of his letter, dated 8th October last, in which the language exceeded the bounds of legitimate comment, and the Chief Commissioner will make no further remarks thereon, but on one point Mr. Leonard has made in his letter an assertion so unfounded and improper that Mr. Saunders considers that the charge thus specifically made should be specifically withdrawn. The allegation is contained in para 10 of Mr. Leonard's letter, and refers to conditions contained in the lighting contractors' bond, which a reference to that document itself would have shewn do not bear out that allegation.

T. CLARKE,
Secretary.

To—The President, Cantonment Municipal Commission,
returning the original enclosures
Mr T T. Leonard, Municipal Commissioner, No. 5 Division

Proceedings of the Chief Commissioner of Mysore

Municipal.

Read again the following letters.——

From Mr. T. T Leonard dated 8th Octo. 877

2. To President, Cantonment Municipal Commission, No. 2602/225 dated 25th October 1877.

3 From Do. Do No. 2998 dated 27th October 1877, with one enclosure.

4. From Do— Do- No. 3041 dated 31st October 1877, with 2 enclosures.

5 From Do- Do. No. 3042 dated 31st October 1877, with one enclosure

6 From Mr. T T. Leonard dated 14th November 1877

7 To Mr. T T Leonard dated 19th November 1877, No. 7530/1147.

8 Proceedings of the Chief Commissioner No. 2831/257 dated 17th November 1877

9 Copy of letter from Mr. T. T Leonard dated 17th November 1877 to the President Cantonment Municipal Commission

10 From the President, Cantonment Municipal Commission, No. 3419 dated 27th November 1877. with 2 Enclosures.

——

Order

Order No. 3078/287 dated, Bangalore 13th December 1877.

The Chief Commissioner has perused Dr. Orr's letter of the 27th ultimo, explanatory of certain matters in which his conduct had been called in question by Mr. Leonard, one of the Municipal Commissioners.

Proc.

2. Mr. Saunders is unable to alter the view which he has expressed in para 2 of his Proceedings of the 17th November 1877, as to the course adopted by the Board, at Dr. Orr's suggestion, in capriciously setting aside the several tenders for the Lighting contract in order to renew the contract with Nanjappa Brothers for a further term, at a higher rate than that offered by others and on terms which were subsequently reduced.

3 Mr. Leonard has recently tendered to the President of the Municipal Commission a very ample apology for that part of his letter dated 8th October last, in which the language exceeded the bounds of legitimate comment, and the Chief Commissioner will make no further remarks thereon but on one point Mr. Leonard has made in his letter an assertion

So

so unfounded and improper that Mr. Saunders considers that the charge thus specifically made should be specifically withdrawn - The allegation is contained in para 10 of Mr. Leonard's letter, and refers to conditions contained in the Lighting Contractors' bond, which a reference to that document itself would have shewn do not bear out that allegation.

Secretary

To

The President, Cantonment Municipal Commission, returning the original enclosures.

Mr. J J Leonard
Municipal Commissioner
No. 5 Division

Municipal

1877

From
The Secretary
Commissioner
Dufter D

To
The President
Cantonment
Commis
Mr. I. J.
Municipal Com
No. 5 Divi

Dated 13th December

=

Dufter
Ul. No. 3078
ml. 287

Passing orders on
President's letter
3419 D/27/11/77
on the subject
Lighting

Pm 16 Dec
13-12-1

of the Dy. Commr. of Jhansi

~~Read~~

Resolution passed embodied in an ordinary Proceedings of a Meeting of the Cantonment Municipal Commr. held on the 26 Sep 1877 (Submitted with President's No 3773 of 5 Oct 1877)

Letter from the Vice Chairman Municipal Commr No 3041 of 31 Oct 1877, ~~Submitted~~

Do — do — do No 2998 of 27 Oct 1877 submitting proceedings of an ordinary Meeting of the Cantonment Municipal Commr held on the 24 Oct 1877, ~~abstract of subjects of the~~

Do — do — do No 3042 of 31 Oct 1877 submitting a letter from Mr J. J. Leonard Municipal Commr No 5 Div with remarks.

Letter of 8 Oct 1877 from Mr J. J. Leonard Municipal Commr No 5 Div representing certain circumstances in connection with the proceedings of the Municipal Board in the matter of the Cantonment drainage contract.

1 Letter dated 8th October 1877 from Mr J. J. Leonard, Municipal Commissioner no 5 division ~~submitting~~ representing certain circumstances ~~touching his protest against~~ in connection with the proceedings of the Municipal Board ~~resolution~~ of the Municipal Commissioners ~~of the Proceedings of the 26 September Contt~~ relative to the renewal of the Lighting Contract ~~to Hamjatpath and Brothers, the present Contractors~~ ~~for a period of 3 years from the 1st January next.~~

2 — Letter no 2998 dated 27th October 1877 from the President Cantonment Municipal Commission, Submitting Proceedings of an ordinary meeting held on the 24th idem.

3 Letter no 3041 dated 31st October 1877 from — do — do submitting copy of the Sub-Committee's report on the subject of the Lighting Contract

4 Letter no 3042 of 31st October 1877

1877 from the President
Lantk. mlComms, forwarding
Mr. Leonard's Letter to his
address dated 27th idem
requesting to attach the
same to the Board's Pro.
of the 24th October 1877.

Order thereon. No. of 14th November 187

On a perusal of
the papers read above
the Chief Commissioner
observes that the proceedings
in regard to the disposal of tenders for the Lighting Contract
have
been conducted in a
manner which has
afforded some ground
for complaint and
mis-construction
& the proposal of Mr.
Hart - in favor of the Hon.
Hanjappa contract - was
made to the Board -
& one seen
on the ground, that
he "Conscientiously believed
that the contracts
could

At the Board's sitting on the 26
the President proposed
the Contract should be
the present Lighting
Hanjappa Brothers for
period of 3 years

could not be dealt with effectually carried out at a lower rate than Rs 2 per light. This belief was, apparently, founded on experiments made by Dr. Orr which shewed that the cost of lighting amounted to Rs 2-3-0 per lamp per mensem. But the calculations proved, as Dr. Orr admits, to be fallacious. and, in his subsequent letter No 3100 ~~above recorded~~ ~~dated 31st October last~~, Mr. Hall has calculated he ~~says that he proposes~~ recommend ~~to recommend~~ that the contract amount should be reduced to Rs 1-12-0 per light It is obvious, therefore, that the Board, in determining the Contract in favor of Ranjappah Brothers acted on imperfect and

and incorrect informa
tion supplied by
Dr Orr's Experiments. Mr
Saunders considers that
is a matter for regret
that the Board should
have laid itself open
to the unfavorable
comments passed on
their proceedings, by
deliberately setting
aside, as they have done
the safe and Constitutional
course of acting upon
the advice of the
special Committee in
accepting the tender
of Sadasiva Row, or, if, as
now stated by the
President for the first
time in these Proceedings,
that individual was
deemed an unfit man
to undertake the
contract, in selecting
some other of the
tenders

2 the Municipal Com
tenders from the public
Submit tenders for the
appointment of an appointed
Special Committee
to Mr Nesfield was a mere
[illegible] decide on
merits of the Competition
the decision was favorable
on Sadasiva Row who
was the lowest. The pre
grounds on which he de
was subsequently set
aside the merits of the
tenders. are not
but it is obvious, as the
Court Concurs, that the
principle of Competition
wholly [illegible] by
by the proceedings taken by
Board in [illegible]
of the renewal of the
Municipal Offices, both as to
any appointment whether
[illegible]
or [illegible] by other persons. The
[illegible] such a proceeding should
be to allow the public to
appoint but the [illegible]
of tenders was a delusion
which it was intended to
accept, and to have
any the proceedings of the
Board at the meeting.
the present instance the
[illegible] resolution respec

Proceedings of the Chief Commissioner in the General Department.

Read again the following letters.

1. From Mr. T. T. Leonard dated 8th October 1877
2. To President-Cantonment Municipal Commission No 2602/225 dated 25th October 1877.
3. From Do. — Do. No. 2998 dated 27th October 1877, with 1 enclosure.
4. From Do. — Do. No. 3041 dated 31st October 1877, with 2 enclosures.
5. From Do. — Do. No 3042 dated 31st October 1877, with 1 enclosure.
6. From Mr. T. T. Leonard dated 14th November 1877,
7. To Mr. T. T. Leonard. dated 19th December 1877 No. 75-30/1147.

8. Proceedings of the Chief Commissioner No. 2851/257 dated 17th November 1877

9 Copy of letter from Mr. T. T. Leonard dated 17th November 1877, to the Presidy. Cantonment Municipal Commission.

10. From the President Cantonment Municipal Commission No. 3419 dated 27th November 1877, with 2 Enclosures.

Sent on
No. 3078 of 13/12/77 Ord. No. 287

dated Bangalore 10th Dec. 1877.

The Chief Commissioner has perused Dr. Orr's letter of the 27th ultimo explanatory of certain matters which his conduct has been called in question by Mr Leonard, one of the Municipal Commissioners in his letter of 8th October 1877

2. Mr. Saunders is unable to alter the view which he has expressed in para 2 of his Proceedings of the

17th November 1877, as to the Course adopted by the Board at Dr. Orr's suggestion in capriciously setting aside the several tenders for the Lighting Contract in order to renew the Contract with Hanyappa Brothers for a further term, at a higher rate than that offered by others and on terms which ~~in consequence of Mr Leonard's renewed bounces~~ were subsequently reduced

3. Mr Leonard has recently tendered the Resident of the Mysore Commr a very ample apology for that part of his letter dated 8 October in which in the language he exceeded the bounds of legitimate comment, and in his Comm. letter he makes no public allusion to remarks therein. But on one point Mr Leonard has made in his letter an apology so unfounded and unsupported that his Saunders considers that the charge ~~has~~ precipitate

3. On one point however Mr. Leonard's assertions are proved to have been wholly unfounded, and the Chief Commissioner must express his regret that that gentleman should have, on imperfect information permitted himself to allege against the President of the Commission that he had deliberate-

has also failed to specifically substantiate allegation contained in para 10 of Mr Leonard's letter, and upon [illegible] contained in this letter and which he represents that document will show do not bear out this allegation.

Wm
14.12.77

modified the conditions of the contract-bond by employing as Lighting Contractors, a firm that had other business occupations. The terms of the bond do not justify this allegation and Mr. Saunders considers that Mr. Leonard who has already expressed his regret to Dr. Orr for the objectionable tone and matter of his letter under reference, will lose no time in withdrawing specifically the serious charge brought by him against the President on this head.

Yours
Secretary

To The President Londonderry Municipal Commissioners returning the original enclosures

Mr T. T. Leonard
Municipal Commissioner
5 Division.